

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

TENITA BRYANT, et al.,

Plaintiffs,

v.

DR. JENNY ENTERPRISES, LLC, et al.,

Defendants.

) CASE NO. 1:19-cv-01075

) JUDGE: CHRISTOPHER A. BOYKO

) **THESE DEFENDANTS RESPONSE TO**
) **PLAINTIFFS' MOTION FOR LEAVE**
) **TO FILE A SECOND AMENDED**
) **COMPLAINT**

Defendants Dr. Jenny Enterprises, LLC; Vital Age Institute, LLC; Jenny P. Wilkins; and William M. Wilkins, in the above referenced case, through counsel, hereby respond to Plaintiffs' Motion for Leave to File a Second Amended Complaint, Doc. # 42.

These Defendants do not object to the motion in principle as such motions are typically granted. Mrs. Wilkins, however, is as much a victim as the Plaintiffs. Since the filing of the motion, Plaintiffs took the deposition of Defendant Jenny Wilkins on February 28, 2020.¹ Ms. Wilkins deposition testimony, if anything, does not link her to Defendants North Coast Natural Solutions, North Coast 5 Natural Solutions, Level 5 Global International Holding Corporation, and Tierney Williams as an agent for them or co-employer of the Plaintiffs, but as a potential employee with aspirations of growth for

¹ Notice of Plaintiffs' Deposition of Ms. Wilkins was not filed of record but was served slightly before the Entry of Appearance of Plaintiffs' Counsel, Doc. # 41 in the record. The Deposition was not transcribed by the due date under the Local Rules for this response.

her CBD² industrial hemp interests. Deposition Testimony to be Transcribed, Feb. 28, 2020.

Ms. Wilkins was misled about the financial stability of the project just as the Plaintiffs were. *Id.* In fact, Defendant to be Tierney Williams with the Second Amended Complaint, Doc. # 43, considered her a management employee under him for the project with North Coast Natural Solutions and used an unauthorized biography of her. *See* attached Organizational Diagram and Biograph exhibits produced by the Plaintiffs in discovery with the Bates No. Bryant0254 and Bryant0086 and incorporated herein as if fully stated along with the Deposition Testimony to be Transcribed, Feb. 28, 2020.

There is no paper trail connecting Ms. Wilkins and Defendant William Wilkins to any attempt to employ any of the Plaintiffs. Ms. Wilkins was brought in for her knowledge and experience with Medical CBD products made from industrial hemp. Mr. Wilkins did not have any contact with any of the Plaintiffs. Ms. Wilkins did not sign any contract of employment with Mr. Williams or any of the Plaintiffs.³ Deposition Testimony to be Transcribed, Feb. 28, 2020.

The telltale sign from the evidence to date is where is the City of Cleveland and Cuyahoga County? How come the Plaintiffs' have not named them as parties? These two political entities sanctioned Mr. Williams' industrial hemp project and provided the location and building to use. This project and the Plaintiffs alleged employment would not have happened but for those developments and support of authenticity. Would it be that having them as parties would defeat diversity and this Court's jurisdiction? 28

² CBD is the abbreviation for cannabidiol, one of the active compounds in Cannabis sativa plants.

³ Alternatively and for the sake of argument, even if there was liability exposure for these Defendants, which is emphatically denied, the United States in United States of America, ex rel. Manfred Knopf v. Age Vital Pharmacy, LLC and Jean M. Wilson, FNP-BC, United States District Court for the Middle District of

U.S.C. Sect. 1332. Or, would a lawsuit against the City of Cleveland and Cuyahoga County in state court result in immunity defenses? *Cf.* Oh. Rev. Code Sect. 2744.03.

WHEREFORE, this Honorable Court may grant the Plaintiffs' motion for leave to file a second amended complaint, but these Defendants, while they sympathize with the Plaintiffs, are not material to this case other than as a witness, have no privity of contract to the Plaintiffs for employment and wage claims, and have been just as compromised.

Respectively submitted,

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CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing notice of service of these Defendants response to Plaintiffs' Motion for Leave to File a Second Amended Complaint was served electronically on March 5, 2020 to the persons and addresses indicated below as Plaintiffs' counsel and those registered for electronic service in this case through the Court's electronic system.

Ms. Claire Wade-Kilts, Attorney for Plaintiffs, wade@swmlawfirm.com

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